

**441—103.31(692A) Definitions.**

*“Affirmative public notification”* means any form of communication or release undertaken by the department of public safety, department of human services, or other Iowa criminal or juvenile justice agency regarding the identity or characteristics of an individual registrant or registrants. “Affirmative public notification” does not mean release of information to a criminal or juvenile justice agency or agencies nor does it mean release of information about an individual registrant in response to an inquiry about that individual based upon the name and address of the individual, as provided in Iowa Code subsection 692A.13(6).

*“Aggravated offense”* means a conviction for any of the following offenses:

1. Sexual abuse in the first degree in violation of Iowa Code section 709.2.
2. Sexual abuse in the second degree in violation of Iowa Code section 709.3.
3. Sexual abuse in the third degree in violation of Iowa Code subsection 709.4(1).
4. Lascivious acts with a child in violation of Iowa Code subsection 709.8(1).
5. Assault with intent to commit sexual abuse in violation of Iowa Code section 709.11.
6. Burglary in the first degree in violation of Iowa Code section 713.3(1)“d.”
7. Kidnapping, if sexual abuse as defined in Iowa Code section 709.1 is committed during the offense.
8. Murder, if sexual abuse as defined in Iowa Code section 709.1 is committed during the offense.
9. Criminal transmission of human immunodeficiency virus in violation of Iowa Code section 709C.1, subsection 1, paragraph “a.”

*“Criminal offense against a minor”* means any of the following criminal offenses or conduct:

1. Kidnapping of a minor, except for the kidnapping of a minor in the third degree committed by a parent.
2. False imprisonment of a minor, except if committed by a parent.
3. Any indictable offense involving sexual conduct directed toward a minor.
4. Solicitation of a minor to engage in an illegal sex act.
5. Use of a minor in a sexual performance.
6. Solicitation of a minor to practice prostitution.
7. Any indictable offense against a minor involving sexual contact with the minor.
8. An attempt to commit an offense enumerated in this rule.
9. Incest committed against a minor.
10. Dissemination and exhibition of obscene material to minors in violation of Iowa Code section 728.2.
11. Admitting minors to premises where obscene material is exhibited in violation of Iowa Code section 728.3.
12. Stalking in violation of Iowa Code subsection 708.11(3)“b”(3), if the fact finder determines by clear and convincing evidence that the offense was sexually motivated.
13. Sexual exploitation of a minor in violation of Iowa Code subsection 728.12(2) or (3).
14. An indictable offense committed in another jurisdiction which would constitute an indictable offense under numbered paragraphs “1” through “13” of this definition.

*“Department”* means the Iowa department of human services.

*“Iowa sex offender registry”* means a central registry of sex offenders established by law in 1995 that is maintained by the department of public safety.

*“Offender”* means a person, including a juvenile, who is required to be registered with the Iowa sex offender registry and the sheriff of the person’s county of residence.

*“Other relevant offense”* means any of the following offenses:

1. Telephone dissemination of obscene materials in violation of Iowa Code section 728.15.
2. Rental or sale of hard-core pornography in violation of Iowa Code section 728.4.
3. Indecent exposure in violation of Iowa Code section 709.9.
4. A criminal offense committed in another jurisdiction which would constitute an indictable offense under numbered paragraphs “1” through “3” of this definition if committed in this state.

*“Registration”* means the submission of registration forms to the Iowa sex offender registry and to the sheriff of the person’s county of residence.

*“Risk assessment”* means the method and procedures for the assessment of the risk that offenders, required to register, pose of reoffending.

*“Sexual exploitation”* means sexual exploitation by a counselor or therapist under Iowa Code section 709.15.

*“Sexually violent offense”* means any of the following indictable offenses:

1. Sexual abuse as defined under Iowa Code section 709.1.
2. Assault with intent to commit sexual abuse in violation of Iowa Code section 709.11.
3. Sexual misconduct with offenders in violation of Iowa Code section 709.16.
4. Any of the following offenses, if the offense involves sexual abuse or attempted sexual abuse: murder, attempted murder, kidnapping, burglary, or manslaughter.
5. A criminal offense committed in another jurisdiction which would constitute an indictable offense under numbered paragraphs “1” through “4” of this definition if committed in this state.